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7 **UNITED STATES DISTRICT COURT**  
8 **WESTERN DISTRICT OF WASHINGTON**  
9 **AT SEATTLE**

10 UNITED STATES OF AMERICA,

NO. MJ09-606

11 Plaintiff,

12 v.

DETENTION ORDER

13 JOSE TRINIDAD CORTEZ-MUNOZ,

14 Defendant.

15 Offense charged:

16 Count 1: Conspiracy to Distribute Methamphetamine, in violation of 21 U.S.C. §§  
17 841(a)(1), 841 (b)(1)(A) and 846

18 Count 2: Possession of Methamphetamine With Intent to Distribute, in violation  
19 of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 18 U.S.C. § 2

20 Date of Detention Hearing: December 23, 2009

21 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
22 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

23 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

24 (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that  
25 defendant is a flight risk and a danger to the community based on the nature of the pending  
26 charges. Application of the presumption is appropriate in this case.

DETENTION ORDER

18 U.S.C. § 3142(i)

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1 (2) Defendant has no ties to this jurisdiction.

2 (3) Defendant is not a citizen of the United States, but possesses a valid green card  
3 as a lawful permanent resident.

4 (4) Defendant has substantial and on-going ties to Mexico.

5 (5) The evidence against the defendant, although the least important 18 U.S.C. §  
6 3142(g) detention factor, is strong. Defendant was apparently the middlemen between all  
7 defendants.

8 (6) There are no conditions or combination of conditions other than detention that  
9 will reasonably ensure the appearance of the defendant.

10 IT IS THEREFORE ORDERED:

11 (1) Defendant shall be detained and shall be committed to the custody of the  
12 Attorney General for confinement in a correction facility separate, to the extent  
13 practicable, from persons awaiting or serving sentences or being held in custody  
14 pending appeal;

15 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
16 counsel;

17 (3) On order of a court of the United States or on request of an attorney for the  
18 government, the person in charge of the corrections facility in which defendant  
19 is confined shall deliver the defendant to a United States Marshal for the  
20 purpose of an appearance in connection with a court proceeding; and  
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1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
2 counsel for the defendant, to the United States Marshal, and to the United States  
3 Pretrial Services Officer.

4 DATED this 23rd day of December, 2009.

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7 JAMES P. DONOHUE  
8 United States Magistrate Judge  
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